

Application No.: 10/798,218

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Docket No.: 02198/0200973-USO

REMARKS

This submission is in response to the Official Action dated December 28, 2004. Reconsideration of the above identified application, in view of the above amendments and the following remarks, is respectfully requested.

The Examiner has required restriction to one of the following Groups under 35 U.S.C. § 121:

Group I containing claims 1, 17, 18 and 24.

Group II containing claims 26, 50, 51 and 27.

Group III containing claims 59, 82, 83 and 79.

Group IV containing claims 91, 117, 118 and 124.

Group V containing claims 126, 163, 164 and 170.

Group VI containing claims 19, 23 and 25.

Group VII containing claims 52, 56 and 58.

Group VIII containing claims 84, 88 and 90.

Group IX containing claims 119, 123 and 125.

Group X containing claims 165, 169 and 171.

The Applicants hereby elect, without traverse, to prosecute the claims of Group IV (claims 91, 117, 118, 124) which are directed to compound or composition of formula IV recited in claim 91, and pharmaceutically acceptable salts thereof.

In the election of Group IV, the Examiner has also required an election of species under 35 U.S.C. § 121 in the subject application. Specifically, the Examiner has requested an election of the following species designations: X₁-X₆, Y₁ and Y₂.

The Examiner has acknowledged in the Office Action that claims 1-171 are generic. Should no generic claim be held allowable, Applicants elect the following species for prosecution on the merits:

Y ¹ :	Y ¹ = a) hydrogen
(NH-X ¹ -C=O):	X ¹ = n) is replaced by a chemical bond
(NH-X ² -C=O):	X ² = a) alanine
(NH-X ³ -C=O):	X ³ = b) D-cyclohexylalanine

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